

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Kenneth Bair et al.

FOR : **UPRIGHT VACUUM CLEANER WITH
CYCLONIC AIRFLOW**

SERIAL NO. : UNKNOWN

FILED : HEREWITH

ATTORNEY DOCKET NO. : RYLZ 2 0535-3-3-2-1-1-1

Cleveland, Ohio
May 6, 2004

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicants submit the following Disclosure Statement concerning art of which the applicants are aware. All of the art disclosed herein was cited in the earlier application, U.S. Serial No. 10/673,815. Copies of the references should be in the earlier case. A copy of PTO-1449 is enclosed herewith.

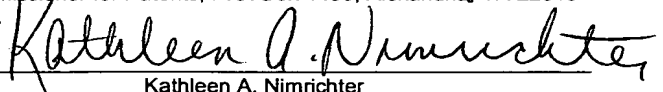
This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

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Date of Deposit May 6, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Applications, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Kathleen A. Nimrichter

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed patents require no further explanation (or no translation is available).

Applicant notes that a number of the references cited in the several PTO-1449 sheets were brought to applicants' attention in litigation concerning several related patents.

Under § 1.97(b)(3), this information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

All of these references were brought to the attention of the U.S. Patent and Trademark Office in a related case, Serial No. 10/673,815. Therefore, copies of all of these references are present in the related application and will not be submitted again herewith, in the interest of saving paper. However, should the Examiner be missing any of the references listed in the several PTO-1449 forms appended hereto, the Examiner is encouraged to contact the undersigned so that a copy of same can be provided.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Date:

6 May 2004

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Subst. Form PTO-1449 APPLICANTS' INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: RYLZ 2 00535-3-3-2-1-1-1	Serial No.: UNKNOWN
	Applicant(s): Bair et al.	
	Filing Date: HEREWITH	Group:

U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	2,316,836	04/20/43	Breuer			
	AB	2,394,923	02/12/46	Little			
	AC	2,507,897	05/16/50	Gavagnin			
	AD	2,516,707	07/25/50	Lewyt, et al.			
	AE	2,921,646	01/19/60	Poole			
	AF	3,177,635	04/13/65	Cawl, et al.			
	AG	3,320,727	05/23/67	Farley			
	AH	3,797,064	03/19/74	MacFarland			
	AI	3,820,310	06/28/74	Fromknecht et al.			
	AN	3,910,781	10/07/75	Bryant, Jr.			
	AO	4,108,778	08/22/78	Lambert et al.			
	AL	4,118,208	10/03/78	Klinedinst			
	AM	4,172,710	10/30/79	van der Molen			

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AN	2,280,388A	02/01/95	Great Britain			
	AO	WO 84 02282A	06/21/84	WIPO			
	AP	1,049,292	02/21/64	Great Britain			
	AQ	2,265,096A	09/22/93	United Kingdom			

OTHER ART

	AS	Japanese Language Brochure Concerning National Product No. MC-11U, February 1981.
	AT	Fantom Vacuum Cleaner Owner's Manual (©1993).

Examiner:

Date Considered:

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	4,198,726	04/22/80	Powel, Jr.			
	AB	4,268,288	05/19/81	Coombs			
	AC	4,276,070	06/30/81	Hug			
	AD	4,443,235	04/17/84	Brenholt, et al.			
	AE	4,457,043	07/03/84	Oeberg, et al.			
	AF	4,486,206	12/04/84	Miyakawa et al.			
	AG	4,571,772	02/25/86	Dyson			
	AH	4,573,236	03/04/86	Dyson			
	AI	4,593,429	06/10/86	Dyson			
	AN	4,643,748	02/17/87	Dyson			
	AO	4,718,924	01/12/88	DeMarco			
	AL	4,826,515	05/02/89	Dyson			
	AM	4,853,008	08/01/89	Dyson			

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AN	EP 0042 723	12/30/1981	Europe			
	AO	1,468,142	04/19/1967	France			
	AP	WO 99/30602	06/24/1999	WIPO			
	AQ	WO 99/30604	06/24/1999	WIPO			

OTHER ART

	AS	Fantom Fury Vacuum Cleaner Owner's Manual (©1995)
	AT	Fantom Vacuum Cleaner Service Manual for Iona® Model Series F-9000

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	4,853,011	08/01/89	Dyson			
	AB	4,944,780	07/31/90	Usmani			
	AC	5,062,870	11/05/91	Dyson			
	AD	5,078,761	01/07/92	Dyson			
	AE	5,090,976	02/25/92	Dyson			
	AF	5,101,532	04/07/92	Dyson et al.			
	AG	5,145,499	09/08/92	Dyson			
	AH	5,160,356	11/03/92	Dyson			
	AI	5,230,722	07/27/93	Yonkers			
	AN	5,248,323	09/28/93	Stevenson			
	AO	5,267,371	12/07/93	Soler et al.			
	AL	5,271,751	12/21/93	Lagler et al.			
	AM	5,307,538	05/03/94	Rench et al.			

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		Document No.	Date	Country	Class	Subcl.	Translation?
	AN	WO 99/30605	06/24/1999	WIPO			
	AO	479,455	02/07/1938	United Kingdom			
	AP	1,111,074	04/24/1968	United Kingdom			
	AQ	0 489 468 A1	06/10/1992	Europe			

OTHER ART

	AS	Dyson DC 03 Operating Manual, December 11, 1997
	AT	"Flair on the Floor" Appliance, December 1994, pgs. 24-28

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	4,284,422	08/18/81	Ferland			
	AB	5,704,956	01/06/98	Loveless et al.			
	AC	4,072,483	02/07/78	Doyle, Jr.			
	AD	4,355,434	10/26/82	Gongwer			
	AE	5,593,479	01/14/97	Frey et al.			
	AF	4,373,228	02/15/83	Dyson			
	AG	4,769,052	09/06/88	Kowalski			
	AH	5,090,975	02/25/92	Requejo et al.			
	AI	5,287,591	02/22/94	Rench et al.			
	AN	5,427,597	06/27/95	Osendorf			
	AO	5,464,460	11/07/95	Bosses			
	AL	5,603,741	02/18/97	Frey			
	AM	5,685,894	11/11/97	Bowerman et al.			

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		Document No.	Date	Country	Class	Subcl.	Translation?
	AN	H3-103057	10/25/1991	Japan			
	AO	1,468,142	02/12/1966	France			
	AP	H3-103059	1991	Japan			
	AQ	2,298,598	09/11/1996	Great Britain			

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	AS	Pictures of Shop-Vac QSP 16 Gallon Wet/Dry Vacuum and Excerpt of Shop Vac Article, Popular Mechanics, September 1996, pg. 88.
	AT	"The Bagless Vac A World First", Appliance Manufacturer, February 1992, pgs. 21-22.

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,779,745	07/14/98	Kilstrom			
	AB	2,171,248	08/29/39	Van Berkel			
	AC	5,867,863	02/09/99	McCormick			
	AD	5,922,093	07/13/99	James et al.			
	AE	5,946,771	09/07/99	Bosyj et al.			
	AF	5,961,677	10/05/99	Scott			
	AG	6,070,291	06/2000	Bair et al.			
	AH	5,746,795	05/1998	Witter			
	AI	5,659,922	08/1997	Louis			
	AN	5,254,147	10/1993	Finke			
	AO	5,107,567	04/1992	Ferrari et al.			
	AL	4,967,443	11/1990	Krasznai et al.			
	AM	RE. 32,751	09/1988	Joss et al.			

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	3,853,518	12/1974	Tu et al.			
	AB	2,187,164	01/1940	Leathers			
	AC	2,564,339	08/1951	Nerheim			
	AD	4,665,582	05/1987	Richmond et al.			
	AE	4,960,446	10/1990	Werner et al.			
	AF	5,018,240	05/1991	Holman			
	AG	5,020,186	06/1991	Lessig et al.			
	AH	6,192,550	02/2001	Hamada et al.			
	AI	4,581,787	04/1986	Torigoe et al.			
	AN	930,125	08/1909	Barrett			
	AO	1,133,543	03/1915	Duffie			
	AL	1,768,617	07/1930	Lee			
	AM	2,643,733	06/1953	Shellman			

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Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	3,413,779	12/1968	Takahashi et al.			
	AB	4,426,211	01/1984	Ataka et al.			
	AC	5,129,125	07/1992	Gamou et al.			
	AD	5,829,090	11/1998	Melito et al.			
	AE	5,935,279	08/1999	Kilstrom			
	AF	6,012,200	01/2000	Murphy et al.			
	AG	6,146,434	11/2000	Scalfani et al.			
	AH	6,256,834	07/2001	Meijer et al.			
	AI	1,003,844	09/1911	Winans			
	AN	1,029,562	06/1912	Prentiss			
	AO	1,167,219	01/1916	Replogle			
	AL	2,019,895	11/1935	Dow			
	AM	2,266,075	12/1941	Replogle			

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Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	2,475,808	07/1949	Storm, Jr.			
	AB	2,524,117	10/1950	Storm, Jr.			
	AC	2,542,634	02/1951	Davis et al.			
	AD	5,558,697	09/1996	Dyson et al.			
	AE	1,887,600	11/15/1932	Replogle			
	AF	3,543,325	12/01/1970	Hamrick			
	AG	3,626,545	12/14/1971	Sparrow			
	AH	5,080,697	01/14/1992	Finke			
	AI	5,106,488	04/21/1992	Jonasson			
	AN	5,725,623	03/10/1998	Bowerman, et al.			
	AO	Des. 398,097	09/08/1998	Murphy et al.			
	AL	1,230,827	06/19/1917	Duffie			
	AM	1,234,095	07/17/1917	Duffie			

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U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,135,552	08/04/1992	Weistra			
	AB	5,524,321	06/11/1996	Weaver et al.			
	AC	5,795,358	08/18/1998	Scanlon et al.			
	AD	6,085,382	07/11/2000	Bobrosky et al.			
	AE	3,614,860	10/26/1971	Grellsson			
	AF	4,934,019	06/19/1990	Shorthill et al.			
	AG	6,035,486	03/14/2000	McCormick			
	AH						
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	AO						
	AL						
	AM						

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